

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

AMERICAN HEALTH, INC.; SOCIOS MAYORES  
EN SALUD, INC.; SOCIOS MAYORES EN  
SALUD HOLDING, INC.

Plaintiffs,

v.

DR. SERGIO CHÉVERE; IRAIDA DEL RÍO; THE  
CONJUGAL PARTNERSHIP COMPOSED BY  
SERGIO CHÉVERE AND IRAIDA DEL RÍO.

Defendants.

CIVIL NO. 12-1678(PG)

**MOTION TO STRIKE DEFENDANTS' REPLY (DOCKET 18)**

TO THE HONORABLE COURT:

Plaintiffs, American Health, Inc., Socios Mayores en Salud, Inc., and Socios Mayores en Salud Holding, Inc. (collectively “American Health”), by and through undersigned counsel, move to strike Defendants’ “Reply Motion to Dkt. 16” (Docket No. 18) showing to the Court as follows:

1. Local Rule 7(c) of the Rules of this Court allows for the filing of a reply memorandum “with prior leave of Court.” Said rule also requires that the reply “...be strictly confined to replying to new matters raised in the objection or opposing memorandum.”

2. Defendants’ “Reply Motion to Dkt 16” was filed without leave of court.

3. Therefore, Defendants’ Docket 18 should be ordered stricken from the record. *See Rivera-Feliciano v. State Ins. Fund Corp.*, 652 F.Supp.2d 170, fn. 1 (D.P.R. September 3, 2009) (Pérez-Giménez, J.) (Court did not consider plaintiff’s sur-reply to defendant’s reply

inasmuch as plaintiff did not seek leave of the Court prior to filing, as required by Local Rule 7 (c)).

Certification: Today we filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send copy to all counsel of record.

In San Juan, Puerto Rico, this 7<sup>th</sup> day of February, 2013.

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